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NOTES OF CASES.

HOLIDAYS—JUDICIAL PROCEEDINGS.—An indictment found by the grand jury on a holiday is held, in *State v. Thomas* (Ohio), 48 L. R. A. 459, not to be for that reason invalid.

DE FACTO OFFICERS.—An officer who accepts a second office when he cannot hold both is held, in *Oliver v. Jersey City* (N. J.), 48 L. R. A. 412, to be an officer *de facto* whose acts will be valid as to the public, if he continues to act in his original office.

INJUNCTION—CRIMINAL PROCEEDINGS.—An injunction against the enforcement of a statute requiring the inspection of beer on the ground that the statute is unconstitutional is denied in *State v. Wood* (Mo.), 48 L. R. A. 596, where the statute is enforceable only by criminal proceedings, since equity has no jurisdiction to enjoin criminal prosecutions. See 5 Va. Law Reg. 821.

LEGACIES—CONDITION PRECEDENT—DISCRETION OF EXECUTOR.—A condition in a legacy that the legatee's right thereto shall depend upon the decision of the executors at the end of a certain time that he is a reformed man, is sustained in *Re Jones* (Mich.), 48 L. R. A. 580, on the ground that it is sufficiently certain, and that such decision is a condition precedent to his right to the legacy.

GARNISHMENT OF FOREIGN CORPORATION.—A debt due from an insurance company for loss in another State is held, in *Strause Bros. v. Etna Ins. Co.* (N. C.), 48 L. R. A. 452, not to have any situs in a third State so as to sustain a garnishment there by a creditor of the insured merely because there was an insurance agent in the State on whom process could be served under the State statutes.

FIRE INSURANCE—PAROL CONTRACT—TERMS OF POLICY.—The right to insurance on property destroyed by fire after an oral contract to insure, but before issuance of a policy, is held, in *Hicks v. British America Assurance Co.* (N. Y.), 48 L. R. A. 424, to be subject to the provisions and conditions of the standard policy prescribed by law, including that as to furnishing proofs of loss within a specified time.

MUNICIPAL CORPORATIONS—ORDINANCES—SIGNS.—An ordinance making it a penal offense to maintain a sign over a sidewalk is held, in *State v. Higgs* (N. C.), 48 L. R. A. 446, not to be included in the charter power to open streets and keep them free and clear from obstructions, and to be unreasonable, oppressive, and void as applied to a sign which does not impede, delay, obstruct, or in any way endanger the use of the sidewalk.

AUCTION SALES—“PUFFING.”—One who bids at a public sale, not because of any desire to purchase, but merely to run up the price, either in his own interest or that of another, is held, in *McMillan v. Harris* (Ga.), 48 L. R. A. 345, not to